

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CASE NO. 04-36227-H1-11

**REVISED ORDER GRANTING MOTION FOR CLARIFICATION
AND ORDER OF RELIEF**

On Motion of Enrique Pimienta, Arturo Pimienta, Hugo Pimienta, W. Steve Smith, Trustee, and Howard Ehrenberg, Trustee, for Clarification and for an Order of Relief, and after hearing the evidence and argument of counsel, the Court entered its Order Granting Motion for Clarification and Order of Relief on June 16, 2008. Thereafter, W. Steve Smith, Trustee and Arturo Pimienta, Hugo Pimienta and Enrique Pimienta, by and through Margaret McClure, filed Motion for Partial Relief from Order and Motion for Reopening of Evidence, which was heard on August 13, 2004. In addition to evidence earlier presented and again considered by this Court, Dario Ocos, Mexican attorney, and W. Steve Smith, Trustee presented further evidence, all of which clearly establishes the jurisdiction of this Court, through the Bankruptcy Code's stay, discharge, property of the estate and inherent powers provisions, to grant, in part, the relief requested, as hereinafter provided. Based thereon, it is

ORDERED that John B. Jacuzzi, Sr. (John B. Jacuzzi Rainieri), Margarita Jacuzzi (Margarita Andersen Sanudo), John B. Jacuzzi, Jr. (John B. Jacuzzi Andersen), Patricia Jacuzzi (Patricia Jan Jacuzzi Andersen), and James Jacuzzi (James Jacuzzi Andersen) (collectively referred to as "the Jacuzzi Family") are to immediately dismiss their Mexican fraud complaint and resulting warrants, which fraud complaint and warrants were filed and issued in Mexico. In particular, the complaint filed by the Jacuzzi Family with the Attorney General in Mexico City on May 10, 2002 is to be immediately dismissed with prejudice. It is further

ORDERED that the Jacuzzi Family is to immediately obtain the release of Hugo Pimienta from the Monterrey, Mexico jail and of Enrique Pimienta, who is the subject of

an extradition complaint, from the custody of the U.S. Marshal and the Montgomery County, Texas authorities. John B. Jacuzzi, Sr. is to report to this Court as soon as Hugo Pimienta has been released from jail and Enrique Pimienta has been released from custody of the U.S. Marshal and the Montgomery County, Texas authorities, with proof that the Mexican fraud complaint, warrants and the extradition complaint have been dismissed. It is further

ORDERED that in the event the Mexican fraud complaint, warrants and the extradition complaint are not dismissed, and Mr. Hugo Pimienta and Mr. Enrique Pimienta have not been released from jail or custody within ten (10) days from entry of this Order, the Court will issue a Show Cause Order to determine whether the Jacuzzi Family, or one or more of them, should be held in civil contempt and taken into custody by the United States Marshal until they have purged themselves of contempt of this Order.

DATED: AUG 15 2008



UNITED STATES BANKRUPTCY JUDGE

APPROVED:

W. STEVE SMITH

MARGARET MCCLURE